(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

CIVIL APPLICATION NO.24 OF 2006

IN

WRIT PETITION NO.22 OF 2006

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Shri S.S.Kantak, Advocate and Ms. R.M.Chodankar, Advocate for the petitioner .

Shri S.G.Dessai, Sr.Advocate with Ms Kirti Uppal, Advocate for the respondent.

CORAM : R.M.S.Khandeparkar, J

DATE : 27th January, 2006.

P.C.

Heard. I am prima facie being satisfied that the arbitration clauses in the agreement dated 1st August, 2003 do not relate to any agreement between the petitioner and the respondent or any dispute between the petitioner and the respondent, and therefore, the petitioner has made out a prima facie case for grant of interim relief in terms of prayer clause (b).

However, since the parties having been heard, it need not be ex-parte but it should be considered as an interim relief. Accordingly, the application is allowed and by the interim order, initiation of the arbitration proceedings by the respondent under letter dated 20th December, 2005 is stayed. The application accordingly stands disposed of.

(R.M.S.Khandeparkar, J)